

ASSEMBLY BILL

No. 478

Introduced by Assembly Member Wolk

February 20, 2007

An act to amend Section 21201 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 478, as introduced, Wolk. Vehicles: bicycle safety.

(1) The Vehicle Code regulates the safe operation of bicycles on highways and roadways. Operation of a bicycle upon a highway, during darkness, requires the use of an illuminated lamp and certain specified reflecting devices. It is a crime to violate any provision of the Vehicle Code.

This bill would expand the places where the operator of a bicycle is required to use an illuminated lamp and certain specified reflecting devices to shared use pathways, as defined. The bill would expand the requirement that the operator of the bicycle have reflectors on each pedal to include the option of having reflectors on his or her shoes or ankles.

Because this bill would create a new crime, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 21201 of the Vehicle Code is amended to read:

21201. (a) No person shall operate a bicycle on a roadway unless it is equipped with a brake which will enable the operator to make one braked wheel skid on dry, level, clean pavement.

(b) No person shall operate on the highway ~~any~~ a bicycle equipped with handlebars so raised that the operator must elevate his hands above the level of his shoulders in order to grasp the normal steering grip area.

(c) No person shall operate upon ~~any~~ a highway a bicycle ~~which is of such a size as to prevent that is of a size that prevents~~ the operator from safely stopping the bicycle, supporting it in an upright position with at least one foot on the ground, and restarting it in a safe manner.

~~(d) Every bicycle operated upon any highway during darkness shall be equipped (1) with a lamp emitting a white light which, while the bicycle is in motion, illuminates the highway in front of the bicyclist and is visible from a distance of 300 feet in front and from the sides of the bicycle; (2) with a red reflector on the rear which shall be visible from a distance of 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle; (3) with a white or yellow reflector on each pedal visible from the front and rear of the bicycle from a distance of 200 feet; and (4) with a white or yellow reflector on each side forward of the center of the bicycle, and with a white or red reflector on each side to the rear of the center of the bicycle, except that bicycles which are equipped with reflectorized tires on the front and the rear need not be equipped with these side reflectors. Such reflectors and reflectorized tires shall be of a type meeting requirements established by the department.~~

(d) A bicycle operated upon a highway or a shared use pathway during darkness shall be equipped with all of the following:

(1) A lamp emitting a white light that, while the bicycle is in motion, illuminates the highway or shared use pathway in front of the bicyclist and is visible from a distance of 300 feet in front and from the sides of the bicycle.

1 (2) *A red reflector on the rear that shall be visible from a*
2 *distance of 500 feet to the rear when directly in front of lawful*
3 *upper beams of headlamps on a motor vehicle.*

4 (3) *A white or yellow reflector on each pedal, shoe, or ankle*
5 *visible from the front and rear of the bicycle from a distance of*
6 *200 feet.*

7 (4) *A white or yellow reflector on each side forward of the center*
8 *of the bicycle, and a white or red reflector on each side to the rear*
9 *of the center of the bicycle, except that bicycles that are equipped*
10 *with reflectorized tires on the front and the rear need not be*
11 *equipped with these side reflectors.*

12 *The reflectors and reflectorized tires shall be of a type meeting*
13 *requirements established by the department.*

14 (e) A lamp or lamp combination, emitting a white light, attached
15 to the operator and visible from a distance of 300 feet in front and
16 from the sides of the bicycle, may be used in lieu of the lamp
17 required by ~~clause~~ paragraph (1) of subdivision (d).

18 (f) *For purposes of this section, “shared use pathway” means*
19 *a pathway that bicycles share with vehicles, pedestrians, or both.*

20 SEC. 2. No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 the only costs that may be incurred by a local agency or school
23 district will be incurred because this act creates a new crime or
24 infraction, eliminates a crime or infraction, or changes the penalty
25 for a crime or infraction, within the meaning of Section 17556 of
26 the Government Code, or changes the definition of a crime within
27 the meaning of Section 6 of Article XIII B of the California
28 Constitution.